

Executive Summary – Enforcement Matter – Case No. 49917
Enbridge G & P (East Texas) L.P.
RN100209477 and RN100223783
Docket No. 2015-0062-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Indian Rock Gas Plant, 2186 State Highway 300, Gilmer, Upshur County

Pittsburg Gas Plant, 1088 County Road 1140, Pittsburg, Camp County

Type of Operation:

Natural gas treating facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 24, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$9,275

Amount Deferred for Expedited Settlement: \$1,854

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$7,421

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications (RN100209477):

Person/CN - Satisfactory

Site/RN – High

Compliance History Classifications (RN100223783):

Person/CN - Satisfactory

Site/RN – Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Executive Summary – Enforcement Matter – Case No. 49917
Enbridge G & P (East Texas) L.P.
RN100209477 and RN100223783
Docket No. 2015-0062-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: November 12 and November 14, 2014

Date(s) of NOE(s): December 18, 2014

Violation Information

1. Failed to submit a final report for Incident No. 195115 no later than two weeks after the end of the emissions event that occurred at the Indian Rock Gas Plant. Specifically, the final report was due by March 20, 2014, but was not submitted until March 26, 2014 [30 TEX. ADMIN. CODE §§ 101.201(b) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O3155, Special Terms and Conditions ("STC") No. 2F].

2. Failed to prevent unauthorized emissions at the Indian Rock Gas Plant. Specifically, the Respondent released 3,228.65 pounds ("lbs") of sulfur dioxide ("SO₂"), 34.33 lbs of hydrogen sulfide ("H₂S"), 18.68 lbs of carbon monoxide ("CO"), and 8.99 lbs of nitrogen oxides ("NO_x") from the High Pressure Flare, Emissions Point Number ("EPN") FLR2, during an emissions event (Incident No. 195115) that occurred on March 6, 2014 and lasted seven hours and 45 minutes. This event occurred when sulfur emissions were routed to the flare as the result of an electric heater failure in the Sulfur Recovery Unit. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O3155, STC No. 8, and New Source Review ("NSR") Permit Nos. 24450 and PSDTX1002, Special Conditions ("SC") No. 1].

3. Failed to submit a final report for Incident No. 194555 no later than two weeks after the end of the emissions event that occurred at the Pittsburg Gas Plant. Specifically, the final report was due by March 8, 2014, but was not submitted until March 11, 2014 [30 TEX. ADMIN. CODE §§ 101.201(b) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O2961, STC No. 2F].

4. Failed to prevent unauthorized emissions at the Pittsburg Gas Plant. Specifically, the Respondent released 12,355.83 lbs of SO₂ and 122.82 lbs of H₂S from the Sulfur Recovery Unit Thermal Oxidizer, EPN THERMOX, and 5.75 lbs of CO, 2.76 lbs of NO_x, and 408.94 lbs of SO₂ from the Emergency Plant Flare, EPN FLAREVT, during an emissions event (Incident No. 194555) that began on February 21, 2014 and lasted 23 hours. This event occurred when the Plant experienced an emergency shutdown related

**Executive Summary – Enforcement Matter – Case No. 49917
Enbridge G & P (East Texas) L.P.
RN100209477 and RN100223783
Docket No. 2015-0062-AIR-E**

to a Programmable Logic Controller (“PLC”) error. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 02961, STC No. 7, and NSR Permit No. 8986, SC No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. On February 22, 2014, corrected the PLC error in order to prevent a recurrence of emissions events due to the same cause as Incident No. 194555;
- b. On March 6, 2014, purchased and installed a new heater in order to prevent a recurrence of emissions events due to the same cause as Incident No. 195115;
- c. By March 26, 2014, submitted the final emissions event reports for Incident Nos. 194555 and 195115; and
- d. By January 19, 2015, reviewed 30 TEX. ADMIN. CODE §§ 101.201 and 101.211 with appropriate staff and obtained signatures upon completion of review, and created an internal spreadsheet to monitor the status of State of Texas Environmental Electronic Reporting System submittals to provide a due date for a final report.

Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

**Executive Summary – Enforcement Matter – Case No. 49917
Enbridge G & P (East Texas) L.P.
RN100209477 and RN100223783
Docket No. 2015-0062-AIR-E**

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Farhaud Abbaszadeh, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-0779; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Julia Knezek, Environmental, Health & Safety Field Manager, Enbridge G & P (East Texas) L.P., 2020 Bill Owens Parkway, Suite 100, Longview, Texas 75604
Charles W. Raiborn III, General Manager, Enbridge G & P (East Texas) L.P., 2020 Bill Owens Parkway, Suite 100, Longview, Texas 75604

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	5-Jan-2014	Screening	14-Jan-2015	EPA Due	
	PCW	14-Jan-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	Enbridge G & P (East Texas) L.P. (Indian Rock Gas Plant)	
Reg. Ent. Ref. No.	RN100209477	
Facility/Site Region	5-Tyler	Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No.	49917	No. of Violations	2
Docket No.	2015-0062-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Farhaud Abbaszadeh
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum		\$0	Maximum
			\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$4,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	0.0% Enhancement	Subtotals 2, 3, & 7	\$0
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Notes: No adjustment for compliance history.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$962
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$63
Estimated Cost of Compliance: \$24,750
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$3,038
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$3,038
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$3,038
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DEFERRAL	20.0% Reduction	Adjustment	-\$607
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$2,431
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Screening Date 14-Jan-2015

Docket No. 2015-0062-AIR-E

PCW

Respondent Enbridge G & P (East Texas) L.P. (Indian Rock Gas Plant)

Policy Revision 4 (April 2014)

Case ID No. 49917

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100209477

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

No adjustment for compliance history.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 14-Jan-2015

Docket No. 2015-0062-AIR-E

PCW

Respondent Enbridge G & P (East Texas) L.P.

(Indian Rock Gas Plant)

Policy Revision 4 (April 2014)

Case ID No. 49917

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100209477

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.201(b) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. 03155, Special Terms and Conditions ("STC") No. 2F

Violation Description

Failed to submit a final report for Incident No. 195115 no later than two weeks after the end of the emissions event. Specifically, the final report was due by March 20, 2014, but was not submitted until March 26, 2014.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

The Respondent met at least 70% of the rule requirement.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

6 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$25

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed corrective actions by January 19, 2015, after the December 18, 2014 Notice of Enforcement.

Violation Subtotal \$225

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$63

Violation Final Penalty Total \$225

This violation Final Assessed Penalty (adjusted for limits) \$225

Economic Benefit Worksheet

Respondent Enbridge G & P (East Texas) L.P. (Indian Rock Gas Plant)
Case ID No. 49917
Reg. Ent. Reference No. RN100209477
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	\$0	\$0
Record Keeping System				0.00	\$0	\$0	\$0
Training/Sampling	\$1,500	20-Mar-2014	19-Jan-2015	0.84	\$63	\$0	\$63
Remediation/Disposal				0.00	\$0	\$0	\$0
Permit Costs				0.00	\$0	\$0	\$0
Other (as needed)	\$250	20-Mar-2014	26-Mar-2014	0.02	\$0	\$0	\$0

Notes for DELAYED costs

Estimated cost to submit a final emissions event report for Incident No. 195115, review 30 Tex. Admin. Code §§ 101.201 and 101.211 with appropriate staff and obtain signatures upon completion of review, and create an internal spreadsheet to monitor the status of State of Texas Environmental Electronic Reporting System submittals to provide a due date for a final report. The Dates Required are the date the final report was due. The Final Dates are the dates of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,750

TOTAL

\$63

Screening Date	14-Jan-2015	Docket No.	2015-0062-AIR-E	PCW												
Respondent	Enbridge G & P (East Texas) L.P.		(Indian Rock Gas Plant)	<small>Policy Revision 4 (April 2014)</small>												
Case ID No.	49917			<small>PCW Revision March 26, 2014</small>												
Reg. Ent. Reference No.	RN100209477															
Media [Statute]	Air															
Enf. Coordinator	Farhaud Abbaszadeh															
Violation Number	2															
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. 03155, STC No. 8, and New Source Review Permit Nos. 24450 and PSDTX1002, Special Conditions No. 1															
Violation Description	<p>Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,228.65 pounds ("lbs") of sulfur dioxide, 34.33 lbs of hydrogen sulfide, 18.68 lbs of carbon monoxide, and 8.99 lbs of nitrogen oxides from the High Pressure Flare, Emissions Point Number FLR2, during an emissions event (Incident No. 195115) that occurred on March 6, 2014 and lasted seven hours and 45 minutes. This event occurred when sulfur emissions were routed to the flare as the result of an electric heater failure in the Sulfur Recovery Unit. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.</p>															
		Base Penalty	\$25,000													
>> Environmental, Property and Human Health Matrix																
OR	Release	Harm														
		Major	Moderate	Minor												
	Actual			X												
	Potential				Percent 15.0%											
>> Programmatic Matrix																
	Falsification	Major	Moderate	Minor												
					Percent 0.0%											
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.															
		Adjustment	\$21,250													
			\$3,750													
Violation Events																
	Number of Violation Events	1	Number of violation days	1												
mark only one with an x	daily															
	weekly															
	monthly															
	quarterly	X														
	semiannual															
	annual															
	single event															
	Violation Base Penalty \$3,750															
One quarterly event is recommended.																
Good Faith Efforts to Comply		25.0%	Reduction	\$937												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">Before NOE/NOV</td> <td style="text-align: center;">NOE/NOV to EDPRP/Settlement Offer</td> </tr> <tr> <td>Extraordinary</td> <td></td> <td></td> </tr> <tr> <td>Ordinary</td> <td style="text-align: center;">X</td> <td></td> </tr> <tr> <td>N/A</td> <td></td> <td style="text-align: center;">(mark with x)</td> </tr> </table>					Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer	Extraordinary			Ordinary	X		N/A		(mark with x)
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer														
Extraordinary																
Ordinary	X															
N/A		(mark with x)														
Notes	The Respondent completed corrective actions on March 6, 2014, prior to the December 18, 2014 Notice of Enforcement.															
	Violation Subtotal	\$2,813														
Economic Benefit (EB) for this violation		Statutory Limit Test														
	Estimated EB Amount	\$0	Violation Final Penalty Total	\$2,813												
	This violation Final Assessed Penalty (adjusted for limits)			\$2,813												

Economic Benefit Worksheet

Respondent Enbridge G & P (East Texas) L.P. (Indian Rock Gas Plant)
Case ID No. 49917
Reg. Ent. Reference No. RN100209477
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment	\$23,000	6-Mar-2014	6-Mar-2014	0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	\$0	\$0
Record Keeping System				0.00	\$0	\$0	\$0
Training/Sampling				0.00	\$0	\$0	\$0
Remediation/Disposal				0.00	\$0	\$0	\$0
Permit Costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for DELAYED costs

Estimated cost to purchase and install a new heater in order to prevent the recurrence of emissions events due to the same causes as Incident No. 195115. The Date Required is the date of the emissions event. The Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$23,000

TOTAL

\$0

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN603573817, RN100209477, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN603573817, Enbridge G & P (East Texas) L.P.

Classification: SATISFACTORY

Rating: 1.81

Regulated Entity: RN100209477, INDIAN ROCK GAS PLANT

Classification: HIGH

Rating: 0.00

Complexity Points: 10

Repeat Violator: NO

CH Group: 03 - Oil and Gas Extraction

Location: 2186 STATE HIGHWAY 300 Gilmer, TX 75645, UPSHUR COUNTY

TCEQ Region: REGION 05 - TYLER

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER UA0156Q

AIR OPERATING PERMITS PERMIT 3155

AIR NEW SOURCE PERMITS PERMIT 24450

AIR NEW SOURCE PERMITS ACCOUNT NUMBER UA0156Q

AIR NEW SOURCE PERMITS AFS NUM 4845900033

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1002

AIR NEW SOURCE PERMITS REGISTRATION 46493

AIR EMISSIONS INVENTORY ACCOUNT NUMBER UA0156Q

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: January 09, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 09, 2010 to January 09, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Farhaud Abbaszadeh

Phone: (512) 239-0779

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	January 12, 2010	(786368)
Item 2	February 18, 2010	(788634)
Item 3	August 26, 2010	(850225)
Item 4	January 11, 2011	(884899)

Item 5	January 26, 2011	(887284)
Item 6	June 15, 2011	(924139)
Item 7	June 24, 2011	(934135)
Item 8	February 14, 2012	(984049)
Item 9	May 21, 2012	(1003075)
Item 10	December 04, 2012	(1045905)
Item 11	June 17, 2013	(1094089)
Item 12	August 05, 2013	(1105261)
Item 13	October 11, 2013	(1121564)
Item 14	October 29, 2013	(1121565)
Item 15	December 31, 2013	(1134554)
Item 16	February 27, 2014	(1150473)
Item 17	October 28, 2014	(1167058)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A



Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	5-Jan-2015	Screening	14-Jan-2015	EPA Due	
	PCW	14-Jan-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	Enbridge G & P (East Texas) L.P. (Pittsburg Gas Plant)
Reg. Ent. Ref. No.	RN100223783
Facility/Site Region	5-Tyler
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	49917	No. of Violations	2
Docket No.	2015-0062-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Farhaud Abbaszadeh
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$7,750

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 5.0% Enhancement **Subtotals 2, 3, & 7** \$387

Notes Enhancement for one NOV with same/similar violations.

Culpability No 0.0% Enhancement **Subtotal 4** \$0

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** -\$1,900

Economic Benefit 0.0% Enhancement* **Subtotal 6** \$0

Total EB Amounts \$1
Estimated Cost of Compliance \$10,250

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$6,237

OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$6,237

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$6,237

DEFERRAL 20.0% Reduction **Adjustment** -\$1,247

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY \$4,990

Screening Date 14-Jan-2015

Docket No. 2015-0062-AIR-E

PCW

Respondent Enbridge G & P (East Texas) L.P. (Pittsburg Gas Plant)

Policy Revision 4 (April 2014)

Case ID No. 49917

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100223783

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 5%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for one NOV with same/similar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 5%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 5%

Screening Date 14-Jan-2015

Docket No. 2015-0062-AIR-E

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(Pittsburg Gas Plant)

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Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(b) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. 02961, Special Terms and Conditions ("STC") No. 2F

Violation Description

Failed to submit a final report for Incident No. 194555 no later than two weeks after the end of the emissions event. Specifically, the final report was due by March 8, 2014, but was not submitted until March 11, 2014.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

The Respondent met at least 70% of the rule requirement.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

3 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$25

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		x
N/A		(mark with x)

Notes

The Respondent completed corrective actions by January 19, 2015, after the December 18, 2014 Notice of Enforcement.

Violation Subtotal \$225

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$238

This violation Final Assessed Penalty (adjusted for limits) \$238

Economic Benefit Worksheet

Respondent Enbridge G & P (East Texas) L.P. (Pittsburg Gas Plant)
 Case ID No. 49917
 Reg. Ent. Reference No. RN100223783
 Media Air
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	\$0	\$0
Record Keeping System				0.00	\$0	\$0	\$0
Training/Sampling				0.00	\$0	\$0	\$0
Remediation/Disposal				0.00	\$0	\$0	\$0
Permit Costs				0.00	\$0	\$0	\$0
Other (as needed)	\$250	8-Mar-2014	11-Mar-2014	0.01	\$0	\$0	\$0

Notes for DELAYED costs

Estimated cost to submit a final emissions event report for Incident No. 194555, and the Economic Benefit for training is in Violation No. 1 of the accompanying PCW. The Date Required is the date the final report was due. The Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$0

Screening Date 14-Jan-2015

Docket No. 2015-0062-AIR-E

PCW

Respondent Enbridge G & P (East Texas) L.P.

(Pittsburg Gas Plant)

Policy Revision 4 (April 2014)

Case ID No. 49917

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100223783

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. 02961, STC No. 7, and New Source Review Permit No. 8986, Special Conditions No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,355.83 pounds ("lbs") of sulfur dioxide ("SO₂") and 122.82 lbs of hydrogen sulfide from the Sulfur Recovery Unit Thermal Oxidizer, Emissions Point Number ("EPN") THERMOX, and 5.75 lbs of carbon monoxide, 2.76 lbs of nitrogen oxides, and 408.94 lbs of SO₂ from the Emergency Plant Flare, EPN FLAREVT, during an emissions event (Incident No. 194555) that began on February 21, 2014 and lasted 23 hours. This event occurred when the Plant experienced an emergency shutdown related to a Programmable Logic Controller ("PLC") error. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 30.0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended.

Good Faith Efforts to Comply

25.0%

Reduction

\$1,875

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes

The Respondent completed corrective actions on February 22, 2014, prior to the December 18, 2014 Notice of Enforcement.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$6,000

This violation Final Assessed Penalty (adjusted for limits) \$6,000

Economic Benefit Worksheet

Respondent Enbridge G & P (East Texas) L.P. (Pittsburg Gas Plant)
Case ID No. 49917
Reg. Ent. Reference No. RN100223783
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0		\$0
Record Keeping System				0.00	\$0		\$0
Training/Sampling				0.00	\$0		\$0
Remediation/Disposal				0.00	\$0		\$0
Permit Costs				0.00	\$0		\$0
Other (as needed)	\$10,000	21-Feb-2014	22-Feb-2014	0.00	\$1		\$1

Notes for DELAYED costs

Estimated cost to troubleshoot and correct the PLC error in order to prevent the recurrence of emissions events due to the same causes as Incident No. 194555. The Date Required is the date the emissions event began. The Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$1

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN603573817, RN100223783, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN603573817, Enbridge G & P (East Texas) L.P. **Classification:** SATISFACTORY **Rating:** 1.81

Regulated Entity: RN100223783, PITTSBURG GAS PLANT **Classification:** SATISFACTORY **Rating:** 0.44

Complexity Points: 7 **Repeat Violator:** NO

CH Group: 03 - Oil and Gas Extraction

Location: 1088 COUNTY ROAD 1140 PITTSBURG, TEXAS 75686-5728, CAMP COUNTY

TCEQ Region: REGION 05 - TYLER

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER CE0005V
AIR NEW SOURCE PERMITS REGISTRATION 71046
AIR NEW SOURCE PERMITS AFS NUM 4806300002
AIR NEW SOURCE PERMITS REGISTRATION 90652
AIR NEW SOURCE PERMITS REGISTRATION 105739
INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST
36625

AIR OPERATING PERMITS PERMIT 2961
AIR NEW SOURCE PERMITS ACCOUNT NUMBER CE0005V
AIR NEW SOURCE PERMITS PERMIT 8986
AIR NEW SOURCE PERMITS REGISTRATION 104627
AIR EMISSIONS INVENTORY ACCOUNT NUMBER CE0005V

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: January 09, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 09, 2010 to January 09, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Farhaud Abbaszadeh

Phone: (512) 239-0779

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	February 01, 2010	(788818)
Item 2	March 23, 2010	(796559)
Item 3	March 30, 2010	(796535)

Item 4	April 21, 2010	(796567)
Item 5	May 28, 2010	(824981)
Item 6	July 19, 2010	(829867)
Item 7	September 30, 2010	(864430)
Item 8	October 04, 2010	(864495)
Item 9	March 14, 2011	(901722)
Item 10	March 25, 2011	(906318)
Item 11	March 31, 2011	(906521)
Item 12	April 05, 2011	(908310)
Item 13	April 14, 2011	(908359)
Item 14	April 25, 2011	(908395)
Item 15	May 03, 2011	(913621)
Item 16	May 06, 2011	(913701)
Item 17	June 07, 2011	(921473)
Item 18	June 14, 2011	(922817)
Item 19	June 15, 2011	(922787)
Item 20	June 17, 2011	(924180)
Item 21	June 22, 2011	(924426)
Item 22	June 27, 2011	(933414)
Item 23	July 13, 2011	(936408)
Item 24	July 26, 2011	(940922)
Item 25	August 11, 2011	(941230)
Item 26	August 30, 2011	(941194)
Item 27	September 19, 2011	(950884)
Item 28	December 14, 2011	(969214)
Item 29	January 10, 2012	(976344)
Item 30	January 26, 2012	(974501)
Item 31	January 27, 2012	(980418)
Item 32	February 06, 2012	(982409)
Item 33	February 17, 2012	(982639)
Item 34	May 07, 2012	(1002163)
Item 35	May 21, 2012	(1003113)
Item 36	July 03, 2012	(1006540)
Item 37	July 25, 2012	(1015893)
Item 38	November 20, 2012	(1036476)
Item 39	December 04, 2012	(1045864)
Item 40	March 11, 2013	(1060491)
Item 41	March 22, 2013	(1060549)
Item 42	March 28, 2013	(1045881)
Item 43	June 10, 2013	(1094085)
Item 44	February 04, 2014	(1144821)
Item 45	February 26, 2014	(1145072)
Item 46	March 10, 2014	(1152740)
Item 47	October 28, 2014	(1198321)
Item 48	November 14, 2014	(1167055)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	01/28/2014	(1121572)	CN603573817
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 2 OP		
	Description:	Failure to submit an emissions event notification within 24 hours of discovery of incident 187441.		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		

5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1 PERMIT
Special Terms and Conditions 10(B) OP
Special Terms and Conditions 2 OP

Description: Failure to maintain an emission rate below the allowable emission limit for incident 187441.

F. Environmental audits:

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
ENBRIDGE G & P (EAST TEXAS)	§	TEXAS COMMISSION ON
L.P.	§	
RN100209477 AND RN100223783	§	ENVIRONMENTAL QUALITY

AGREED ORDER **DOCKET NO. 2015-0062-AIR-E**

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Enbridge G & P (East Texas) L.P. ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a natural gas treating facility located at 2186 State Highway 300 in Gilmer, Upshur County, Texas (Indian Rock Gas Plant) and a natural gas treating facility located at 1088 County Road 1140 in Pittsburg, Camp County, Texas (Pittsburg Gas Plant) (collectively, the "Plants").
2. The Plants consist of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notices of the violations alleged in Section II ("Allegations") on or about December 23, 2014.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Nine Thousand Two Hundred Seventy-Five Dollars (\$9,275) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Thousand Four Hundred Twenty-One Dollars (\$7,421) of the administrative penalty and One Thousand Eight Hundred Fifty-Four Dollars (\$1,854) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plants:
 - a. On February 22, 2014, corrected the Programmable Logic Controller ("PLC") error in order to prevent a recurrence of emissions events due to the same cause as Incident No. 194555;
 - b. On March 6, 2014, purchased and installed a new heater in order to prevent a recurrence of emissions events due to the same cause as Incident No. 195115;
 - c. By March 26, 2014, submitted the final emissions event reports for Incident Nos. 194555 and 195115; and
 - d. By January 19, 2015, reviewed 30 TEX. ADMIN. CODE §§ 101.201 and 101.211 with appropriate staff and obtained signatures upon completion of review, and created an internal spreadsheet to monitor the status of State of Texas Environmental Electronic Reporting System submittals to provide a due date for a final report.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plants, the Respondent is alleged to have:

1. Failed to submit a final report for Incident No. 195115 no later than two weeks after the end of the emissions event that occurred at the Indian Rock Gas Plant, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit ("FOP") No. O3155, Special Terms and Conditions ("STC") No. 2F, as documented during a record review conducted on November 14, 2014. Specifically, the final report was due by March 20, 2014, but was not submitted until March 26, 2014.
2. Failed to prevent unauthorized emissions at the Indian Rock Gas Plant, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O3155, STC No. 8, and New Source Review ("NSR") Permit Nos. 24450 and PSDTX1002, Special Conditions ("SC") No. 1, as documented during a record review conducted on November 14, 2014. Specifically, the Respondent released 3,228.65 pounds ("lbs") of sulfur dioxide ("SO₂"), 34.33 lbs of hydrogen sulfide ("H₂S"), 18.68 lbs of carbon monoxide ("CO"), and 8.99 lbs of nitrogen oxides ("NO_x") from the High Pressure Flare, Emissions Point Number ("EPN") FLR2, during an emissions event (Incident No. 195115) that occurred on March 6, 2014 and lasted seven hours and 45 minutes. This event occurred when sulfur emissions were routed to the flare as the result of an electric heater failure in the Sulfur Recovery Unit. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
3. Failed to submit a final report for Incident No. 194555 no later than two weeks after the end of the emissions event that occurred at the Pittsburg Gas Plant, in violation of 30 TEX. ADMIN. CODE §§ 101.201(b) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O2961, STC No. 2F, as documented during a record review conducted on November 12, 2014. Specifically, the final report was due by March 8, 2014, but was not submitted until March 11, 2014.
4. Failed to prevent unauthorized emissions at the Pittsburg Gas Plant, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. O2961, STC No. 7, and NSR Permit No. 8986, SC No. 1, as documented during a record review conducted on November 12, 2014. Specifically, the Respondent released 12,355.83 lbs of SO₂ and 122.82 lbs of H₂S from the Sulfur Recovery Unit Thermal Oxidizer, EPN THERMOX, and 5.75 lbs of CO, 2.76 lbs of NO_x, and 408.94 lbs of SO₂ from the Emergency Plant Flare, EPN FLAREVT, during an emissions event (Incident No. 194555) that began on February 21, 2014 and lasted 23 hours. This event occurred when the Plant experienced an emergency shutdown related to a PLC error. Since the final report was submitted late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Enbridge G & P (East Texas) L.P., Docket No. 2015-0062-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plants' operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Sam Murre
For the Executive Director

6/24/15
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Charles W. Rabor
Signature

3/5/15
Date

CHARLES W. RABOR III
Name (Printed or typed)
Authorized Representative of
Enbridge G & P (East Texas) L.P.

GENERAL MANAGER
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.